

# **Exhibit 3**

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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GEORGE MOORE AND VIRGINIA CARTER, ET )  
AL. ON BEHALF OF THEMSELVES AND ALL )  
OTHERS SIMILARLY SITUATED, ) CASE NO.  
 ) 4:18-cv-01962-  
PLAINTIFFS, ) SEP  
 )  
VS. )  
 )  
COMPASS GROUP USA, INC., D/B/A )  
CANTEEN, )  
 )  
 )  
DEFENDANT. )  
\_\_\_\_\_ )

DEPOSITION OF MICHAEL COFFEY  
FRIDAY, FEBRUARY 4, 2022

LOCATION: REMOTE PROCEEDING

REPORTED REMOTELY BY: SUSAN S. HENRIQUEZ, CERTIFIED  
SHORTHAND REPORTER NO. 13763

JOB NO. 5057322

1 DEPOSITION OF MICHAEL COFFEY, TAKEN REMOTELY, VIA  
2 VIDEOCONFERENCE, ON BEHALF OF THE PLAINTIFFS, AT  
3 8:03 A.M. PST, FRIDAY, FEBRUARY 4, 2022, BEFORE  
4 SUSAN S. HENRIQUEZ, C.S.R. NO. 13763.

5  
6 APPEARANCES OF COUNSEL (ALL APPEARED REMOTELY):

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1 A No.

2 Q You understand that Mr. Goldring was deposed on  
3 two separate sessions back in June of last year; is that  
4 right?

5 A Yes.

6 Q Have you talked with Mr. Goldring about his  
7 deposition?

8 A No.

9 Q So, again, we're here in connection with a  
10 lawsuit involving the two-tier pricing on Canteen vending  
11 machines throughout the country and the labeling regarding  
12 that two-tier pricing system.

13 Do you understand that?

14 A Yes.

15 Q I understand from my conversation with  
16 Mr. Goldring last June that Canteen did a -- what I'm  
17 going to call a survey, and I think he referred to it as  
18 that as well, back between March of 2019 and February of  
19 2020 regarding the labeling on the two-tier machines.

20 Are you familiar with that survey?

21 A Yes.

22 Q Were you involved in the process at Canteen of  
23 deciding to do that survey?

24 A Yes.

25 Q And what was your role in that process?

1           A    I provided the technical ability to collect the  
2           survey and insight on how to do that.

3           Q    When you say you "provided the technical  
4           ability," what specifically did you provide?

5           A    Awareness that we could use a photo capture  
6           position and a database to reconcile those photos and the  
7           information collected.

8           Q    Now, there was another person at Canteen I spoke  
9           with back in June. I believe her name was Martha Morgan.

10          Do you know Ms. Morgan?

11          A    Yes.

12          Q    My understanding from my prior deposition is that  
13          Ms. Morgan was involved also in the technical, sort of,  
14          creation of the app, if you will, for the survey and  
15          things of that nature; is that accurate?

16          A    Yes.

17          Q    Were you involved in that as well?

18          A    No.

19          Q    Were you one of the folks at Canteen that was in  
20          the decision making team on whether to conduct the survey  
21          or not?

22          A    No.

23          Q    Who was that?

24          A    David Goldring was leading that.

25          Q    Who else made that decision?

1 BY MR. PARTAIN:

2 Q So the first one here, "Top Priorities," the "Two  
3 Tier Project," it appears, to me at least, that this is  
4 referring to what we now call the survey that was  
5 conducted between March 2019 and February 2020.

6 Is that right?

7 A Yes.

8 Q And Martha here appears to be the person  
9 responsible for creating this application to take  
10 photographs of machines before and after the updated  
11 labeling.

12 Do you see that?

13 A I do.

14 Q And underneath that, you seem -- first of all,  
15 what does "P2PE Conversion" mean?

16 A Point To Point Conversion.

17 Q What is that?

18 A It's the security of a credit card when it  
19 swipes.

20 Q And you appear to be responsible for this next  
21 task, which is (as read):

22 "Market credit card encryption at the kiosk.  
23 Converting Gen 2s or replacing with Gen 3s.  
24 Primarily field implementation?"

25 This is a technology thing that doesn't have

1 A Correct.

2 Q Okay. And then on Page 81, sir, starting on  
3 Line 14, I asked (as read):

4 "Who specifically decided to do the survey?

5 I know you said it was at your direction, but was  
6 it your direction alone, or was it part of the  
7 Executive Team, or who decided to do this survey?"

8 "Answer: It would have been Peter and myself  
9 and Mike."

10 Now, you told me earlier that you had no role in  
11 deciding to do the survey; so you would disagree with what  
12 Mr. Goldring testified to here on Page 81?

13 A I don't disagree. I was part of the  
14 conversation. I wasn't the deciding factor on whether to  
15 implement the survey.

16 Q Okay. Well, the question specifically was who  
17 decided to do the survey, and he identified you as one of  
18 the three people.

19 Do you disagree with that?

20 A I don't decide what action is taken.

21 Q So you do disagree, is what you're saying?

22 A I do.

23 Q Okay. Do you know whether, after the survey was  
24 completed, whether Canteen did any audit of the survey  
25 data, meaning take a small sample and, you know, verify

Page 89

1 that the photographs were being taken the way they were  
2 supposed to and that the labeling was applied the way it  
3 was supposed to? Do you know whether, after the survey  
4 was done, Canteen made any effort to audit the survey  
5 results?

6 A I do not.

7 Q Meaning you don't know, not that it wasn't done;  
8 is that right?

9 A I do not know.

10 Q Okay. We're almost done, sir.

11 I think I asked you this, and I hate to be  
12 repetitive, sir, I just want to make sure: When I asked  
13 you about Exhibit 45 -- let me put it back up on the  
14 screen. This is the e-mail that Ms. Sielck sent to you  
15 that attached the Texas office of Consumer Credit  
16 Commissioner. If I recall right, you told me you don't  
17 know one way or the other whether you did anything in  
18 response to this letter.

19 Is that right or wrong?

20 A That's correct.

21 Q Okay. And the only reason I'm asking you is when  
22 I talked to Mr. Goldring, he thought that maybe you would  
23 know what was done in response to it, but you don't know  
24 either; is that right?

25 A I do not.



1 STATE OF CALIFORNIA )  
2 COUNTY OF LOS ANGELES ) ss.  
3

4 I, Susan S. Henriquez, C.S.R. No. 13763, in and  
5 for the State of California, do hereby certify:

6 That prior to being examined, the witness named in  
7 the foregoing deposition was by me duly sworn to testify  
8 to the truth, the whole truth, and nothing but the truth;

9 That said deposition was taken down by me,  
10 remotely, in shorthand, at the time therein named and  
11 thereafter reduced to typewriting under my direction, and  
12 the same is a true, correct, and complete transcript of  
13 said proceedings;

14 That if the foregoing pertains to the original  
15 transcript of a deposition in a Federal Case, before  
16 completion of the proceedings, review of the transcript  
17 { } was { } was not required.

18 I further certify that I am not interested in the  
19 event of this action.

20 Witness my hand this 23rd day of February, 2022.  
21

22   
23

24 Certified Shorthand Reporter  
25 for the State of California